

DUPLICATE

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PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

BERGGREN OY AB

10/529705

- 1-07- 2004

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

To:

Berggren Oy AB
P O Box 16
FIN-00101 HELSINKI
Finland

SVA/MM

Date of mailing
(day/month/year)

29-06-2004

Applicant's or agent's file reference
BP107666

REPLY DUE

within 60 days from
the above date of mailing

27/8/04

International application No.

PCT/FI2003/000718

International filing date (day/month/year)

2 October 2003

Priority date (day/month/year)

2 October 2002

International Patent Classification (IPC) or both national classification and IPC

H04Q 7/38, H04L 12/56, H04Q 7/22

Applicant

Nokia Corporation et al.

1. ☐ The written opinion established by the International Searching Authority:

☐ is

☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This First (first, etc.) opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

02-02-2005

Name and mailing address of the IPEA/SE

Patent- och registreringsverket

Box 5055

S-102 42 STOCKHOLM

Facsimile No. 46 8 667 72 88

Authorized officer

Roger Bou Faisal /LR

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WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/FI2003/000718

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."*):

- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages _____ as originally filed/furnished
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☐ the claims:
- pages _____ as originally filed/furnished
- pages _____ as amended (together with any statement) under Article 19
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☐ the drawings:
- pages _____ as originally filed/furnished
- pages _____ received by this Authority on _____
- pages _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

WRITTEN OPINION OF THE
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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

The invention according to independent claims 15, 32 and 51 differs from D1 by the step of informing the wireless system of the terminal capabilities and letting the system to deduce whether the terminal is capable of receiving the service or not. This step is not considered to solve a different problem than the one solved by the method according to claim 1. It is an obvious step to a person skilled in the art to let the system decide which services the terminal can support instead of letting the terminal itself determine which one of the services it supports.

See also D2-D4 for more information about procedures where the mobile terminal informs the wireless system of the terminal capabilities.

Thus, the invention according to independent claims 15, 32 and 51 is not considered to involve an inventive step.

Dependent claims 2-14, 16-23, 25-31, 33-34, 36-50, 52-55 and 57-59.

The invention according to dependent claims 2-14, 16-23, 25-31, 33-34, 36-50, 52-55 and 57-59 include steps and details that are obvious to a person skilled in the art, with reference to D1 and any of D2-D3. Most of the steps are directly mentioned in D1.

WRITTEN OPINION OF THE
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International application No.

PCT/FI2003/000718

Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
US 2003207696 A1, E	06.11.03	06.05.2002	06.05.2002

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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